

**Draft Summary of the Land Use, Land Management and Aesthetics Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
November 13, 2001**

The Department of Water Resources (DWR) hosted a meeting for the Land Use, Land Management and Aesthetics Work Group on November 13, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Flip Chart Notes
Attachment 4	Land Use Study 1 (Land Use)
Attachment 5	Land Use Study 2 (Land Management)
Attachment 6	Land Use Study 3 (Comprehensive Plan Consistency Evaluation)
Attachment 7	Land Use Study 4 (Aesthetics)
Attachment 8	Fuel Load Management Work Group Coordination

Introduction

Attendees were welcomed to the Land Use, Land Management and Aesthetics Work Group meeting. Attendees introduced themselves and their affiliations. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

Action Items – October 9, 2001 Land Use, Land Management and Aesthetics Work Group Meeting

A summary of the October 9, 2001 Land Use, Land Management and Aesthetics Work Group is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

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| Action Item #LU22: | Obtain a copy of the CDF report on Poe Fire as Existing Information for Fuel Management Study. |
| Status: | Dave Ferguson of DWR brought several copies that were made available to the Work Group. |
| Action Item #LU23: | Provide Rob MacKenzie with an electronic copy of the Draft "Sorting/Identified Issues & Overall Licensing Process" graphic. |
| Status: | Jim Martin reported that he had provided Rob MacKenzie, Butte County Counsel, with the graphic by e-mail. It is also available on the Oroville web site as attachment 5 to the October 9 meeting summary. |
| Action Item #LU24: | Amend Study Plan Template to include a designation for Study Lead (Work Group managing study). |
| Status: | The Study Plan Template has not been amended. It was decided that the Study Lead did not have to be specifically called out in the template under a separate section because the template already includes a sub-section "Coordination With Other Work Groups" where responsibilities and leads are discussed. |
| Action Item #LU25: | Clarify process for incorporating comments from scoping process into study plans. |

Status: The Facilitator explained that the public input/review process consisted of two public scoping meetings and a public review period for Scoping Document 1, which ends November 26, 2001. A summary of all comments received will be incorporated into a matrix prepared by the consultant team. This matrix will identify each comment and the Work Group responsible for addressing that comment. The comments will be evaluated to determine whether they have already been addressed in the draft study plans. If not, the Study Plan Task Force may adjust the studies accordingly. These changes will not be made prior to submitting the Study Plans to the Plenary Group on December 11, 2001 because there is not enough time between the close of comment period and the meeting. There will however, be additional opportunity for further refinement of the Study Plans for several months after the Plenary Group meeting in December through the Task Force and Work Group process.

One participant had concerns with making future revisions to the Study Plans at the Task Force level without adequate time to pass them by the Work Group level. The participants agreed that it was logical for the Task Force and Work Group to work together on some studies and probably hold joint meetings so that the Work Group could approve recommendations by the Task Force simultaneously. Jim Upholt, DWR, suggested that the Work Group could meet more often, and the Facilitator suggested possibly doing so by conference call.

The Facilitator indicated that Appendix B of Scoping Document 1 would be amended to include an "Outcome" column that further assures that the scoping comments will be tracked.

Study Plan Task Force Update

Jim Martin with DWR provided an update on the Study Plan Task Force. The Study Plan Task Force reviewed the draft Study Plans and comments from the group were provided to Mark Greenig, consulting team lead for Land Use, Land Management and Aesthetics. These comments have been incorporated into the latest version of the Study Plans, which were approved by the Study Plan Task Force for submittal to the Land Use, Land Management and Aesthetics Work Group and review during this meeting.

Further discussion was held on the Fuel Load Management Study. The discussion concentrated on historic/future strategies to deal with this issue. Jim Martin emphasized that fire issues are significant in the West and need to be addressed. One participant suggested that this issue is more media-driven. Jim Martin responded by indicating the data shows that there has been an increase in the magnitude of fires in recent times relative to the historical baseline. A preliminary description of the study is provided in the meeting handouts (Attachment 8). The Poe Fire report will provide background information on this topic. The participants agreed this study would need coordination with other work groups, particularly the Environmental Work Group. The Facilitator indicated that the Environmental Work Group has a companion study on the habitat and biological effects of fuel load management in Study Plan SP-T11, Fire Prevention/Fuel Load Control. They intend to provide information to the Land Use, Land Management and Aesthetics Work Group on effects of historic fire prevention strategies on wildlife and botanical resources in the project area. Eventually, the two work groups could develop a GIS-based "fuel loading constraints" data layer. One participant suggested that aesthetics should be addressed in this study also.

Interim Projects from Recreation Work Group

The Facilitator explained that the Interim Projects Recreation Task Force developed and recommended to the Recreation and Socioeconomics Work Group a list of interim projects that has in turn been recommended by that Work Group to the Plenary Group. The interim projects are grouped into four categories:

- 1) Group A;
- 2) Group B;
- 3) Projects that would benefit from first-year studies; and

4) Projects that should be coordinated with other work groups. Several interim projects included in Group 4, all related to land acquisition, identified the Land Use, Land Management and Aesthetics Work Group as the necessary coordination entity.

Participants questioned if it was possible to begin land acquisition now. The Facilitator noted that it might be premature to begin purchasing land before studies are conducted to determine appropriate term-of-license land development strategies. One participant suggested that DWR might think about developing a policy regarding land acquisition and that they also consider confidentiality concerns. One participant had concerns with the licensee selling property, and indicated this was a big issue in the community, referencing Bulletin 116. The same participant said he felt requiring studies prior to any land acquisition actions is unnecessary “stonewalling” and if the licensee would just build the facilities, visitors would ultimately use them. The Facilitator indicated that studies are needed because they would identify potential protection, mitigation and enhancement actions that could be provided through the land acquisition process. One participant agreed and provided the example that the Recreational Needs study plan (SP-R17) developed in the Recreation and Socioeconomics Work Group would clarify what properties would be suitable for acquisition to meet the stated recreational needs of the project.

Jim Martin indicated that the licensee may not sell property in the project area, but may enter into lease agreements. He also indicated that preliminary studies needed prior to acquisition may be quick and inexpensive, and that DWR has experience in acquiring land through set procedures. One participant raised the idea of lease-options because land may not be available in future. Jim Martin responded that this is possible, but DWR has not had much experience doing this. One participant indicated that DWR has experience in purchasing property and leasing back to the original landowner, although not in a FERC relicensing framework. One participant asked that interim projects (e.g., land acquisition) be added to the study plans. It was determined that they are inherently included in the studies by default through the long-term relicensing process.

Traffic Concern

Doug Pursell, a participant new to the process, indicated that his concerns on the project were related to traffic issues, in particular area-wide traffic and asked where these issues were being addressed. The Facilitator indicated that traffic issues specific to the Oroville facilities such as adequate access roads, maintenance and safety concerns were the subject of two study plans in the Recreation and Socioeconomics Work Group, SP-R1 and SP-R2. Other concerns raised related to regional transportation issues such as widening Highway 70 are out of the purview of relicensing, however the relicensing process may generate data that could be transferred to the appropriate agency (i.e., Caltrans, Butte County) for highway improvement considerations. The participant’s specific area of concern was access to the dam along Highway 162. He indicated that alternate routes are available and that DWR should notify the public about these routes through signs, etc. One participant indicated that the signing issue is on the interim projects list and is also part of a separate Recreation study. The participants agreed to pass this concern and information to the Recreation and Socioeconomics Work Group. One participant inquired whether traffic information is included in regional plans, and if so, would Land Use Study 3 (Consistency) include regional traffic issues; the Facilitator indicated that it would to the extent that information is available in the plans reviewed for consistency.

Study Plan Review

The Facilitator provided a brief overview of the study plans and indicated that the review should deal with more substantive issues, rather than grammar. She suggested that if participants have ‘wordsmithing’ types of comments they could just send those in without discussion at tonight’s meeting. The Facilitator also discussed the expanded study plan template that includes additional sections and detail that would be added to the study plans. The consultant will be adding an Introduction to the plans and also additional detail in the Methodology section. Since several Work Group participants did not have the opportunity to review the Study Plans prior to the

meeting they were invited to contact Mark Greenig directly to discuss any outstanding issues. The review of each study plan was organized by subheadings in the study plans. The following are substantive comments on sections:

Land Use Study Plan 1 (Land Use)

Objectives of the Study: One participant requested that proposed future projects including the interim project list be included in the evaluation of land uses. The Facilitator indicated that non-project related future land uses would be covered in the cumulative impact analysis under the NEPA/CEQA process and that land uses that are develop through the relicensing process would be addressed in the future, but it is too premature to include these uses in the Study Plan. The participants agreed not to include “potentially proposed” projects in the text of the Study Plan.

Methodology and Analysis: There were no comments on Phase 1 of the Methodology section. A general comment was raised regarding the status of GIS data for the project. Jim Martin indicated he has met with the Northern District and has acquired all of the GIS data related to land use. One participant inquired whether this information would be posted on the web site. Jim responded that this process is behind schedule and the data is currently being transferred to the agency’s intranet and will be eventually placed on the Internet for public viewing. One participant inquired how land ownership was depicted in the GIS data, in particular ownership along trails. Jim Martin responded by stating that the agency is not in the position to do title searches all on project properties. Another participant inquired whether state/federal boundaries are included in the GIS data; Jim Martin responded that they are.

A participant suggested that the task numbering in the Study Plans should be revised to distinguish tasks between phases. This comment was noted and the Study Plans changed. It was also noted that these Study Plans are not yet to the detail of work scopes.

Coordination With Other Work Groups: One participant asked how coordination would occur. It was stated that, for the most part, coordination would occur through the consultants, DWR, and Work Groups on an administrative level. One participant also indicated that coordination would occur if recommended through other Work Groups.

Schedule: The text was revised to clarify the dates of the Study Plan (e.g., definition of late winter, etc.)

Land Use Study Plan 2 (Land Management)

Objectives of the Study: One participant inquired whether the objectives should only address lands adjacent to and near the project site as stated in the study plan. The Facilitator responded by stating that this Study Plan would also evaluate project lands and changed the text accordingly.

Methodology and Analysis: There were no comments on Phase 1 of this section of the Study Plan, except for that text should reflect that there are only two, not three, tasks.

Similarly, the introductory text for Phase 2 should reflect that there are four, not three, tasks. The fourth task, “Consistency with Wetland, Floodplain, and Other Natural Resource Protection Management Direction and Regulations”, is required by FERC. The Facilitator indicated that the Environmental Work Group would address the physical attributes and location of wetlands in a separate study plan, while the management aspects would be covered under this task.

Results/Products: One participant suggested that this section should address appropriateness and/or effectiveness of land management activities in the project area. It was determined that the text essentially covered this issue, but was revised to clearly indicate these concerns.

Schedule: The same concerns and changes were made as in Land Use Study Plan 1.

Land Use Study Plan 3 (Consistency)

Relationship to Relicensing/Need for Study: This section was revised to reflect that the study would evaluate studies submitted to FERC, not approved by FERC. It was determined that this section will also need to be revised because FERC does not have a complete list of plans to evaluate and additional plans may be identified through other Work Groups.

Methodology and Analysis: Several participants indicated that additional plans needed to be included in the list of plans to be evaluated. One participant requested inclusion of a recreation plan prepared by Department of Parks and Recreation in 1973. Another participant suggested including the Butte County Bicycle Plan; this item will be followed up on with Rob MacKenzie.

Schedule: The same concerns and changes were made as in Land Use Study Plan 1.

Issues, Concerns, Comments Tracking and/or Compliance Requirements: One participant wanted to make sure that issues that were brought up at earlier scoping meetings were included in this section of the Study Plan. It was made clear that those issues were being tracked and a tracking document would be available.

Land Use Study Plan 4 (Aesthetics)

Objectives of the Study: One participant indicated this study should evaluate basic project structures (e.g., utility buildings), not just key observation points (KOPs), and that design standards are needed. The participants agreed that these structures are covered under the tasks of this Study Plan.

Methodology and Analysis: One participant asked how stakeholders would be involved in the inventory described in Task 1-Phase 1. The Facilitator indicated that the public would be involved through the identification of KOPs and that the public would have the opportunity to provide input during study implementation.

One participant suggested that city/county plans need to be included as data sources on aesthetics. The text was changed accordingly.

One participant asked if noise issues would be addressed in this study. The Facilitator indicated noise was not included in the Study Plan because no scoping comments raised the issue. Participants determined that it should be evaluated and the text throughout this Study Plan was modified accordingly. Another participant asked that noise-level measurements be included in the field reconnaissance planned under Phase 1-Task 2.

It was suggested by one participant that visual simulations should be included as part of the analysis. The Facilitator asked whether or not aesthetic questions should also be included in the surveys administered as part of the project; the response from the Work Group was yes.

Results/Products: There was a request to add visual simulations as a work product of this study, and it was added to the text. One participant requested that the linear features (e.g., trail maintenance program), not simply stationary KOPs, be included in the report. The Facilitator indicated that linear features could be addressed through videotaping. One participant indicated that videotaping could be easily manipulated. It was reiterated that erosion from trail maintenance was a visual concern of the Work Group.

Schedule: It was suggested by one participant that the end date for this study should be Spring 2003. Jim Upholt confirmed this suggestion in that there needs to be time for recommendations from other Work Groups. One participant wanted to clarify that there needs to be an opportunity for input/activities occurring during the relicensing process after Phase 1 of this study; the Facilitator changed the text accordingly.

Issues, Concerns, Comments Tracking and/or Compliance Requirements: One participant wanted to make sure that issues that were brought up at earlier meetings were included in this section of the Study Plan.

The participants agreed to forward the four, draft study plans with revisions suggested during the meeting and others provided directly to the consulting team as appropriate, to the Plenary Group.

Fuel Load Management

The Study Plan for this topic was not fully developed at the time of the Land Use, Land Management and Aesthetics Work Group meeting. A previously identified study plan content discussion was completed and a handout describing coordination activity with other work groups on the subject was provided to the participants for review. All suggestions on the development of this proposed Study Plan should be submitted to Mark Greenig. Participants also recommended that Mark Greenig coordinate with the Environmental Study Plan Task Force developing SP-T11 and Peter Maki for local input on further development of this Study Plan.

Next Meetings

The Land Use, Land Management and Aesthetics Study Plan Work Group agreed to maintain its proposed meeting date on:

Date: Tuesday, December 18, 2001
Time: 6:00 to 10:00 PM
Location: To be determined

No meeting date was set for the Land Use, Land Management and Aesthetics Study Plan Task Force.

Agreements Made

1. The Land Use, Land Management and Aesthetics Work Group agreed that it was logical for the Task Force and Work Group to work together on some studies and probably hold joint meetings so that the Work Group could approve recommendations by the Task Force simultaneously.
2. The Land Use, Land Management and Aesthetics Work Group agreed to forward the draft Study Plans SP-L1 (Land Use), SP-L2 (Land Management), SP-L3 (Comprehensive Plan Consistency Evaluation) and SP-L4 (Aesthetics) to the Plenary Group.

Action Items

The following list of action items identified by the Land Use, Land Management and Aesthetics Work Group includes a description of the action, the participant responsible for the action, and item status.

Action Item #LU26: Confirm that issue raised related to traffic signage indicating alternative routes to the Oroville Recreation facilities is incorporated in Recreation and Socioeconomics Work Group study plans.

Responsible: DWR Staff
Due Date: December 6, 2001

Action Item #LU27: Obtain Butte County Bicycle Plan for inclusion in SP-L3
Responsible: DWR Staff
Due Date: December 11, 2001

Action Item #LU28: Coordinate with the Environmental Study Plan Task Force developing SP-T11 and Peter Maki for local input on further development of Study Plan SP-L5 (Fuel Load Management) for inclusion (may be placeholder) in study package to Plenary Group.
Responsible: DWR Staff
Due Date: December 11, 2001

Action Item #LU29: Provide recommended draft study plans SP-L1 (Land Use), SP-L2 (Land Management), SP-L3 (Comprehensive Plan Consistency Evaluation) and SP-L4 (Aesthetics) for inclusion in study plan package to be presented at Plenary Group December 11th meeting.
Responsible: DWR Staff
Due Date: December 11, 2001